

**LOCAL EDUCATION AGENCY PLAN**

**FOR THE INDIVIDUALS**

**WITH DISABILITIES**

**EDUCATION ACT**

**PART B**

INSTRUCTIONS FOR THE APPLICATION

**FISCAL YEAR 2010 ONLY**

**NOTE:** DO NOT SUBMIT THESE INSTRUCTIONS WITH YOUR PLAN



## **INTRODUCTION:**

These instructions are provided to guide you in the completion of the FY-2010 Local Education Agency Plan (LEAP) application. The LEAP is the annual application for federal IDEA-B funds including the funds from the American Recovery and Reinvestment Act of 2009 (ARRA).

The following subsections will provide a general overview of purpose and requirements. Specific instructions pertaining to the budget sections are provided after the general overview.

## **ELIGIBILITY:**

Supervisory Unions/Districts, which have filed signed assurances and completed budgets with the Department of Education, are eligible to receive their regular and ARRA IDEA-B funds during the period of July 1, 2009 through June 30, 2010 (FY-2010). The actual starting date of the grant will be the date that the completed grant application is received at the Department of Education in substantially approvable form. No grant can start prior to July 1, 2009.

## **ANNUAL ALLOCATION:**

**The FY-2010 Allocations for IDEA-B BASIC Flow Through (3-21) and Pre-School (3-5) for the regular allocation and the ARRA allocation are being provided. These allocations are based on the State of Vermont allocations received from the Federal government and the updated student counts. The allocations provided should be the final allocations for FY-2010. The regular allocations represent the annual allocations for these federal funds while the ARRA allocation is the total amount being made available under ARRA.**

The allocation for IDEA-B BASIC (3-21) and PreSchool (3-5) Flow Through is calculated by a three-part formula - it is not based on the prior year's special education child count. The first part of the formula provides the amount, which would have been generated for the base year if 75% of the Vermont federal award had been distributed, allocated on the base year's child count. For the IDEA-B BASIC (3-21) grant, the base year is FY-2000 and the December 1, 1998 child count is used. For the PreSchool (3-5) grant, the base year is FY-98 and the December 1, 1996 child count.

After the base year amounts are allocated to supervisory unions, the balance of funds available for IDEA-B BASIC (3-21) and PreSchool (3-5) Flow Through are distributed based on population and poverty. The formula requires 85% of the balance to be distributed based on the relative number of children in each supervisory union and the remaining 15% on the relative number of children living in poverty. The department uses the number of K-12 students counted as Average Daily Membership (ADM) for the prior year for the number of children. For the number of children living in poverty, the department uses the count of 6 through 17 year olds residing in families receiving food stamps. The poverty count used is the average of the July 1<sup>st</sup> and December 1<sup>st</sup> counts for the prior year.

The total amount of ARRA funds is included with the regular FY-2010 allocation for the purposes of calculating the supervisory union allocations. This results in all of the ARRA funds being distributed based on the population and poverty components of the formula.

## **FUNDS AVAILABLE:**

**The FY-2010 budget for either the Basic or PreSchool grant must include all funds that the supervisory union plans to spend during the period of July 1, 2009 (or the date your application is received in substantially approvable form, if that date is after July 1, 2009) through June 30, 2010.**

Each supervisory union has the discretion to decide what portion of the ARRA funds they plan to spend during FY-2010. Supervisory unions should consider splitting the use of their ARRA allocation between FY-2010 and FY-2011 as the intent is to provide relief for those two fiscal years. The amount requested in the grant budget establishes the maximum amount of these funds that can be spent during the fiscal year. The funds can include the regular and ARRA allocations for FY-2010 as well as carryover funds from Fiscal Year 2009 from the regular allocation. The FY-2010 allocations including the ARRA and regular allocations must be obligated as of September 30, 2011 or they will be lost.

## **CARRYOVER PROVISION:**

Regular grant funds should in general be budgeted and spent during the year for which they are generated, as this is an annual allocation. The FY-2009 funds, which are unexpended as of June 30, 2009, will be considered carryover. These funds will be available for fiscal year 2010. The limitation is that funds must be spent within 27 months. For example, funds generated in FY-2009 can be spent from July 1, 2008 through September 30, 2010 (if the supervisory union has an approved grant award). There is no need to identify in the budget the amount of the carryover funds or specific budget items relating to carryover funds. The budget should show how you plan to spend the funds regardless of the year in which the funds were generated. The department assumes that the supervisory union is always using its oldest funds first.

There is a new requirement in the federal rules that took effect on October 13, 2006 relating to carryover provision for the proportionate share for parentally-placed private school children with disabilities. The requirement is that any proportionate share funds not spent during the year that funds were allocated must be set aside for that purpose in the following 12 months. So if a supervisory union's proportionate share for its FY-2009 allocation was \$5,500 and only \$2,500 was spent during the period of the FY-2009 grant, then the remaining \$3,000 of the FY-2009 allocation designated as proportionate share funds will be carried over and budgeted for services for parentally-placed private school children with disabilities in the following grant year along with the new amount designated as the proportionate share from the FY-2010 allocation. This means that the amount of proportionate share funds not spent must be carried over and the whole FY-2009 allocation can not be spent in FY-2009 if there are unspent proportionate share funds which must be reserved for service to parentally placed student in FY-2010.

## **FUND ADVANCES AND REPORTING EXPENDITURES:**

The grant is officially approved when the grant agreement has been signed by the superintendent and the appropriate Department of Education manager. The initial advance is automatically paid once the grant has been approved. Additional funds are advanced based on information submitted on the SDE1.1 form.

Due to the carryover provision for proportionate share and the need to track the proportionate share funds, the Department of Education will be using a separate grant award number for the proportionate share funds. For the regular IDEA-B grant, there will be a grant award 4226-S0XX-10-01 for the bulk of the grant funds and a second award number 4226-S0XX-10-02 for proportionate share budget items. Likewise if the proportionate share amount is budgeted from ARRA funds, there will be a grant award 4756-S0XX-10-01 for the ARRA funds used for the bulk of the grant and a second award number 4756-S0XX-10-02 for proportionate share ARRA funds. Each grant awards will need to be reported on separate SDE 1.1 forms for FY-2010 as well as on a separate line on the final FY-2010 Special Education Expenditure Report. On the

Special Education Expenditure Report, all expenditures of proportionate share funds must be reported in the “Ineligible” column.

All expenditures charged to the IDEA-B grant must be tracked in the supervisory union or member school districts’ accounting records with either a fund account or project ID. All reporting of expenditures on the grant must be based on the accounting records of what was spent by the supervisory union and its member school districts. The supervisory union cannot report funds advanced to member districts as expenditures until the member district has spent the funds. All grant expenditures need to be for approved budget items.

At the end of the fiscal year, the final expenditure information for each of the IDEA-B Basic and Pre-School Flow Through grant awards is submitted on both the Special Education Expenditure Report as well as on SDE1.1 forms. All funds expended for Early Intervening Services from IDEA-B Basic funds need to report that cost under the ineligible column on the “Non-Special Education Services” line of the report as well as a separate report on the students receiving Early Intervening Services funded with IDEA-B funds.

To close the IDEA-B Basic (4226 & 4756) grants for FY-2010, the Department will make sure that the amount shown as spent on the SDE 1.1 matches the amount shown as spent on the FY-2010 Special Education Expenditure Report. The grant cannot be closed until the total expenditures reported meet the above requirement. Advances on the FY-2010 grants will be held after the initial advance until all FY-2009 grants reporting requirements have been satisfactorily completed.

#### CONDITIONS FOR THE EXPENDITURE OF IDEA-B FUNDS:

- a. **IDEA-B BASIC funds including the regular and ARRA funds may be used only for allowable costs for eligible children with disabilities ages 3 through 21 and to perform child find activities for children birth through age 21. The one exception is that up to 15% of the annual allocation can be used for early intervening for K-12 non-special education students.**

**IDEA-B Pre-School funds including regular and ARRA funds may be used only for allowable costs for eligible children ages 3 through 5, and for child find activities to identify children who could be eligible for special education services ages 3 through 5. These funds may be used for EEE staff costs for transition planning and IEP development for children moving from Part C to Part B prior to the child’s 3<sup>rd</sup> birthday in order for IEP services to start by age 3.**

- b. The Supervisory Union/District may include cost for **fiscal and personnel administration** as either a direct cost or as an indirect cost. Please read the information in Appendix A concerning the requirements for each method of charging before deciding which option to use if the supervisory union wishes to use a portion of these funds to cover costs for fiscal and personnel administration.
- c. Grant funds can only be used to pay for **costs that relate to the grant period**. The beginning date of the grant period is established as the date the completed application is received by the Department of Education in substantially approvable form. The only exception is that the date cannot be before July 1<sup>st</sup> of the grant year. If the starting date of the grant is a later date such as September 1<sup>st</sup>, then costs relating to services provided from July 1<sup>st</sup> through August 31<sup>st</sup> could not be charged to the grant. Also the costs covered by an amendment can only start on the day that the amendment request is received by the Department of Education in substantially approvable form.
- d. If grant funds are to be used to **purchase equipment** defined as that which costs \$5,000 or more and have a life expectancy of more than one year, prior written approval from the Vermont State Department of Education is required. **The Detailed**

**Budget Sheet must list separately each piece of equipment as defined above to be purchased with these grant funds.** The supervisory union should submit a separate justification for any equipment that is not required by an individual student's IEP. There is an additional requirement that the Equipment Form (S.E. 4) must be maintained as part of the Supervisory Union IDEA-B project record for the expected life of the equipment. All equipment must have an identifier posted on it stating "Purchased with IDEA-B FY-10 grant funds" and use of such equipment must be restricted to the intended purpose. The supervisory union should be prepared to prove equipment is being used for appropriate purposes during an audit.

- e. **The documentation for staff charged to IDEA-B grants is the same as for other federal grants.** The requirement is that if an employee works solely for a single Federal award or a single cost objective then a semi-annual certification is required. The certification should specifically state the name of the grant as well as a brief description of the work the employee is performing. The semi-annual certification should match the school semesters if that is the period that the same work is being performed. However, if an employee's contract is a school year contract and works under a separate contract or contract addendum for summer services, separate documentation is necessary for summer services. This can be satisfied if the contract for the summer services stating what duties are assigned for the summer along with time sheets referring to the contract.

The requirement for all other employees whose salary and benefits are charged to multiple cost objectives is that the distribution of their salary and benefits is documented by personnel activity reports. The most common form is a time report which is a record of the actual hours worked by day with a breakdown of the hours reported by cost objectives. The report needs to be signed by the employee and maintained as part of the grant accounting records.

- f. If grant funds are to be used to pay for staff members who are providing specialized instruction or a related service, or a supplementary aid or service, pursuant to the child's individualized educational program, the following conditions shall apply:
1. The requirements of Vermont State Board of Education Rule 2360.3.6 Personnel Qualifications shall apply to those staff who are providing the services; and
  2. The salary and benefits for staff members providing IEP services under the supervision of a licensed special educator can only be funded under this grant at the paraprofessional level, even if the staff member has a teaching license.

## **BUDGET PAGES:**

A sample-completed budget is contained on pages 14-17. **Original budgets and budget amendments must be completed electronically in the Excel Workbook. More detailed instructions for working with the excel file are shown under the section "Instruction for Completing Electronic Version of Budget".** The Excel files containing the original budget and budget amendments should be saved to your hard drive for future use. The budget can be returned to the Department of Education either by e-mail attachment to Department of Education at [doe-ideab@state.vt.us](mailto:doe-ideab@state.vt.us), or by returning the budget pages on a CD. To amend the IDEA-B budget once it has been approved, the supervisory union needs to start with the electronic version of the approved budget.

## PROJECT INFORMATION ABSTRACT – PAGE 6:

Complete the "Project Information Abstract" form with the information requested. This form needs to be submitted with each amendment request as well as with the original LEAP submission.

For 3, Budget Type                      Check the appropriate box to represent which type of budget request you are submitting.

For 4, Project Period                      From: Use actual beginning date of project - July 1, 2009 or after.  
See Note.

To: Use last date of project - June 30, 2010.

For 5, Superintendent's Signature - Requires an original signature on the form submitted for the original budget and each time an amended budget is submitted.

**NOTE:** The grant award will show as the beginning date the date on which all required forms are received by the Department of Education in substantially approvable form. No funds can be used for costs incurred prior to the beginning date of the grant.

## BUDGET DETAIL – PAGES 7-9:

**Budget Period**                      Indicate the time period for the budget items listed below.

For the initial submission, use the beginning date of the grant through June 30, 2010. This will precede the original budget items.

For any budget items added after the initial budget has been approved, a new budget period needs to precede the items added later or duplicates of original budget items with additional amounts. The beginning date of items added during an amendment is the date the amendment is received by the Department of Education in substantially approvable form.

### Budget Items

The budget items should reflect the special education, related service, special education administration or other authorized costs that the supervisory union and its member school districts are choosing to cover with IDEA-B funds. In selecting budget items to use these funds for, the special education costs selected should truly be the costs of providing the special education and related services required by students' IEPs. The concept of "core staff" used for State funding does not apply to these federal funds. If supervisory unions choose to use IDEA-B funds for non-special education services, it must be under the early intervening services option which is limited to 15% of that year's new allocation. Special education administration and activities for child find are allowable uses of grant funds. Listed below are some of the common costs charged to the grants and the requirement or detail needed for different types of cost:

- Salaries and benefits are allowable for the portion of time staff is performing special education, related services or special education administration and must include a description of the special education function being performed, the position title, name of staff member (or TBH for "to be hired"). **Salary and benefits for an employee need to both be charged off to the grant in the same proportion. For example, if 10% of the employee's salary is charged to the grant then 10% of the employee benefits needs to be charged to the grant.** The staff must be appropriately licensed or credentialed to perform the identified special education service. The salary and benefits being charged to the grant funds is shown in the total column and then divided between the "K-12" and "Pre-School" columns based on how their time is expected to be divided.

The staff FTE column needs to be completed for all salaries and is calculated as the portion of their salary charged to the grant divided by the annual contract salary for the person if they worked full-time.

- Contracted services for specialized instruction, related services, and evaluations are allowable cost if required by a student's IEP or evaluation plan. The cost of independent evaluations can be included.
- Special education tuition for a program providing specialized instruction and related services required by a student's IEP are allowable costs.
- Specialized equipment and instructional supplies required by students' IEPs are allowed.
- Materials needed for specialized instruction as well as for special education evaluations are allowed.
- Equipment, supplies and related office expenses for special education administration are allowable costs as long as the cost are specific for special education administration or a reasonable cost allocation process has been established. For supplies, it is helpful to provide something more specific than "supplies" which can include some examples.
- Other allowable costs are listed under Appendix A.

**The following types of special education costs cannot be charged to IDEA-B funds:**

- ☐ Cost of contracts with Mental Health agencies cannot be charged to IDEA-B funds if the Mental Health agency will be billing Medicaid for services provided under the contract. The school district is actually paying Medicaid match in this case which must be from State or local funds – these federal funds cannot be used as Medicaid match.
- ☐ Cost of providing Infant and Toddler direct services are not allowable. It is allowable to use IDEA-B funds for EEE staff working on transitioning children from Part C to Part B which would include transition meetings with FITP staff and IEP development prior to a child's third birthday.

**Instructions for Budget Detail columns:**

- For Column (1)- Enter "reg." if the budget item will be from the regular IDEA-B allocation or "ARRA" if the budget item will be from the allocation of ARRA portion of the IDEA-B allocation.
- For Column (2a)- Use function code describing service or purpose of the costs based on Handbook II, Revised. See enclosed function code listing.
- For Column (2b)- Use object code describing the type of goods or services to be provided from Handbook II, Revised. See enclosed object code listing.
- For Column (3)- Specific description of services or goods to be bought (i.e. crayons, paper, and incentives). Specifically, for salaries, enter position title and employee's name; for equipment, detail each item over \$5,000 to be purchased. **(You should not purchase equipment until you have received written approval which is usually in the form of the grant award from the Student Support Team.)**
- For Column (4)- Enter FTE (full-time equivalency) to be funded by IDEA-B for positions (i.e. for each salary budget item- object code 100). This is the portion of a full-time salary being budgeted from grant funds. For example if \$8,000 of salary is being budgeted and the full-time salary is \$40,000, the FTE would

show as .20. **Also if a portion of an employee's salary is being charged to the IDEA-B grant, then the same portion of that employee's benefits must also be charged to the grant.**

For Column (5)- This is the total of columns 6 and 7 which is the total amount being budgeted for IDEA-B for the grant budget period for the FY-2010.

For Column (6)- Enter the estimated amount, which is to serve K-12 students.

For Column (7)- Enter the estimated amount, which is to serve pre-school students.

**NOTE:** Use as many Detailed Budget lines as necessary. The spreadsheet will calculate the cumulative total of columns (5), (6), (7), and the total direct costs.

### **Instruction for Completing Electronic Version of Budget**

- The "Detailed Budget Sheet" must be completed in the Excel Workbook provided. To complete the budget in Excel, copy the budget page file on your C: drive.
- Open the file named *FY2010 IDEA Basic Grant.XLS*. At the bottom of your screen, there will be four tabs labeled IDEA-B Cover, IDEA Basic Detail, IDEA Basic Summary, and Equipment Record. There is a separate excel file which contains the PreSchool grant budget forms.
- First edit the initial budget period header to reflect as the beginning date the date that the grant was received by the department in substantially approvable form. Next enter your budget items in the spreadsheet labeled IDEA Basic Detail sheet following the above instructions. It is probably best to enter all of the budget items from the regular grant funds then the budget items for the ARRA grant funds. The description column will automatically wrap your text, so you will not need to position your text. You can move in the spreadsheet by using your arrow keys. Enter amounts for each budget item in the K-12 and PreSchool columns, as appropriate; the total column will automatically be calculated. The program will automatically calculate the totals for the Total, K-12 and PreSchool columns.
- Make sure to save the completed file to your hard drive. When you have finished the detailed budget and the financial summary pages, send a copy of the file as an attachment to an e-mail to [doe-ideab@state.vt.us](mailto:doe-ideab@state.vt.us).



**FINANCIAL SUMMARY- PAGE 10:**

Open the file named IDEA Basic Summary. Calculate the amounts from the detailed budget for the summary page. The form requires that the costs be shown under the appropriate grant. Within each grant, the amounts are shown on the function code/object code grid. The only amount from the detailed budget that is split here is the indirect cost which needs to be divided between the separate grant awards based on the direct costs for each. Check that the total for each grant is equal to or less than the amount of funds available for that category for FY-2010. The total of the four budget categories on this page must equal the total of column (5) on the Detailed Budget Pages.

**EQUIPMENT FORM – PAGE 11:**

The form is to be completed for the project if any equipment was purchased with the IDEA-B funds exceeding \$5,000. This form is to be kept by the Local Education Agency. The detail of equipment budgeted is shown on the Detailed Budget Sheet.

**PARTICIPATING DISTRICTS – PAGES 12 & 13:**

Please complete this page using one block for the supervisory union and each of its member school districts that are agreeing to the LEAP.

**NON-PARTICIPATING DISTRICTS – PAGE 14:**

Please complete this page using one block for each school district that is NOT agreeing to the LEAP.

**STATEMENT OF AUTHORIZATION – PAGE 15:**

Enter the name of Supervisory Union/School District and the name of the supervisory union board chairperson to show authorization by the supervisory union board. This form must be signed and dated by the supervisory union board chairperson. Please be sure to send in the form with the original signature.

## **APPENDIX A**

The budget form requires that the supervisory union list how they intend to spend the grant funds for the fiscal year. The funds are to be used to partially fund the requirements of IDEA-B. The money may be spent on allowable costs listed below. Unless otherwise specified, all Rules are from the Vermont State Board of Education Manual of Rules and Practices, Special Education Regulations.

### **ALLOWABLE COSTS:**

#### **Assistive technology:**

- (1) Each school district must ensure that assistive technology devices or assistive technology services, or both, as those terms are defined in Rule 2360.3.3, are made available to a child with a disability if required as a part of the child's--
  - (i) Special education services under Rule 2360.3.1;
  - (ii) Related services under Rule 2360.3.2; or
  - (iii) Supplementary aids and services under Rule 2360.3.4.
- (2) On a case-by-case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP Team determines that the child needs access to those devices in order to receive FAPE.

The services provided to the student under this section might be consultation regarding appropriate devices, training to the child and child's family, if appropriate, on use of device, purchase or rental cost for a device or maintenance or up-keep costs for a device.

#### **Extended School Year Services:**

Each school district must ensure that Extended School Year Services (ESY) are available as necessary to provide FAPE consistent with Rule 2363.8(h) and at no cost to the parents of the child. For any ESY services to be considered as special education or related services, the student's IEP would list the specific service and include the period for the summer services on the cover page of the IEP. The budget items are usually salary and benefits for staff and the budget items need to provide the required detail on staff. The grant can only cover summer services from July 1<sup>st</sup> or the date the completed application is received, if that is later. If you are planning to include the summer services in your budget, the budget needs to be submitted prior to the summer services being delivered. As budget items cannot be increased after the service has been delivered, you may want to ensure that the amount budgeted for summer services is sufficient to cover all of the costs.

#### **Non-academic services (Rule 2360.2(i)):**

- (1) Each school district shall take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP team, to provide non-academic and extra-curricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.
- (2) Non-academic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school district, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the school district and assistance in making outside employment available.

**Physical education allowed only if special physical education (Rule 2360.2(j)):**

- (a) *General.* Physical education services, specifically designed, if necessary, must be made available to every child with a disability receiving a FAPE, unless the public agency enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades.

Instruction in physical education means

- (1) The development of

- (A) Physical and motor fitness;

- (B) Fundamental motor skills and patterns; and

- (C) Skills in aquatics, dance, and individual or group games and sports (including intramural and lifetime sports); and

- (2) Includes special physical education, adapted physical education, movement education, and motor development

- (b) *Regular physical education.* Each child with a disability must be afforded the opportunity to participate in the regular physical education program available to non-disabled children unless –

- (1) The child is enrolled full time in a separate facility; or

- (2) The child needs specially designed physical education, as prescribed in the child's IEP.

- (c) *Special physical education.* If specially designed physical education is prescribed in a child's IEP, the public agency responsible for the education of that child must provide the services directly or make arrangements for those services to be provided through other public or private programs.

- (d) *Education in separate facilities.* The public agency responsible for the education of a child with a disability who is enrolled in a separate facility must ensure that the child receives appropriate physical education services in compliance with this section. Please note that special education students should participate in regular physical education when that is appropriate. The cost of regular physical education is not an allowable special education cost. If a student requires special physical education, it is listed as an IEP service and the school district needs to ensure that the staff performing the service are appropriately licensed and trained.

**“Child find” activities for children birth through 21 (Rule 2360.3.5(a)):**

This includes activities which will be used to locate, identify and evaluate children with disabilities. The supervisory union's responsibility for “child find” includes children including wards of the state residing in the school districts of the supervisory union age birth through age 21.

The “child find” responsibility for children enrolled in independent elementary and secondary school (grades K-12) by their parents is the responsibility of the supervisory union where the private school is located.

The “child find” responsibility for children enrolled in a kindergarten through grade 12 “home study program” is the responsibility of the supervisory union where the child receives his home study program.

**Routine checking of hearing aids and external components of surgically implanted medical devices (Rule 2360.2(n)):**

(1) Hearing Aids

- (i) Each school district must ensure that hearing aids worn in school by children with hearing impairments, including deafness, are functioning properly.

(2) Surgically implanted devices

- (i) Each school district must ensure that the external components of surgically implanted medical devices are functioning properly.
- (ii) School districts are not responsible for the post-surgical maintenance, programming, or replacement of the medical device that has been surgically implanted or of an external component of the surgically implanted medical device.

**Supplementary aids and services (Rule 2360.3.4):**

Supplementary aids and services are aids, services and other supports that are provided in regular education classes or other education-related settings and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate in the least restrictive environment.

To the extent that the supplementary aids and services are listed in the IEP and provided by special education personnel, they can be included as an allowable cost.

**Early Intervening Services (34 CFR 300.226):**

This is an allowable category for the IDEA-B Basic (3-21) grant starting with FY-2006. The maximum allowed in this grant for early intervening services is 15% of the FY-2010 allocation for the supervisory union. Early intervening services can be used for serving students in kindergarten through grade 12 who have not been identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment. The emphasis should be on students in kindergarten through grade 3. The activities included under early intervening services are:

- (1) Professional development for teachers and other school staff to enable such personnel to deliver scientifically based academic instruction and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software.
- (2) Providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.

Another requirement for use of funds for early intervening services is to track the students served by this funding and to report in future years which of the students served subsequently receive special education and related services. A separate report will be required at the end of the fiscal year to report the students provided service and for the following two years, the number of those students receiving IEP services.

**A proportionate share of IDEA-B Basic and Preschool Flow Through funds** must be budgeted for services for eligible children placed by their parents in independent schools or home study programs (Rule 2368.1.3):

The proportionate share is calculated by dividing the number of special education eligible parentally-placed children enrolled in independent schools or home study programs by their parents by the total number of eligible children in the supervisory union. The portion is applied to the annual allocation to establish the pool of funds to be used to provide services

to the privately placed students. Page 5 of the application includes the formula for calculating the amount required to be spent for this purpose from the current year allocation. In addition carryover from the proportionate share funds from the prior year's allocation must be budgeted for services to parentally-placed students.

The supervisory union/district must specifically identify all budget items that relate to providing services to eligible children placed by their parents. Starting with FY-2010, these funds will be awarded under a separate grant award number ending with "02" to be able to track expenditures of these funds without using a different reporting mechanism. The supervisory union/district is limited to spending the amount established as the proportionate share of the IDEA Basic and Pre-School Flow Through grants for services to this group of students. (34 CFR § 300.133) "Child find" costs cannot be counted as proportional share expenditures.

The federal definition of parentally-placed children is limited to elementary and secondary children and the terms elementary and secondary are as defined by the individual state. In Vermont, elementary is defined as kindergarten through grade six. **Therefore in Vermont, preschool children are not considered parentally placed for child count and are not eligible to be provided services from the proportionate share funding.** If proportionate share funding is generated for the IDEA-B Pre-School grant, it is probably because the supervisory union has one or more five year old kindergarten students on December 1<sup>st</sup> counted as parentally placed. This would result in a proportionate share in the IDEA-B Pre-School Flow Through allocation which would need to be spent on services to elementary children who are parentally placed and under the age of six.

#### **Implementation of the National Instructional Materials Accessibility Standard (NIMAS):**

All schools shall take reasonable steps to provide instructional materials in accessible formats to blind children or other children with print disabilities who need those instructional materials at the same time as other children receive instructional materials. (34 CFR § 300.210)

#### **Special Education Data Management Systems:**

An LEA may use funds to purchase appropriate technology for recordkeeping, data collection, and related case management activities of teachers and related services personnel providing services described in the IEP of children with disabilities that is needed for the implementation of those case management activities. (34 CFR § 300.208(b))

#### **Fiscal and personnel administration as direct costs:**

The cost of fiscal and personnel administration can be a direct charge to the IDEA-B flow through grants. However, any budget item(s) to pay for salary and benefits would need to list the individual staff that were performing the administrative services relating to this grant. Also the staff members whose costs are included in the grant will need to document their time using the personnel activity reports. The reporting will need to document the amount of time spent on administration of this specific grant for each pay period during the year and the amount charged to the grant must be based on the actual time documentation up to the amount budgeted.

#### **Indirect Cost for fiscal and personnel administration:**

A supervisory union/district may choose to include indirect costs in its grant budget for any year in which it has a restricted indirect cost rate approved by the Department of Education and if fiscal and personnel administration costs are not included as direct cost in the budget. To determine the maximum amount that can be allowed as indirect costs in the grant budget, the approved restricted indirect rate is multiplied times the total allowable direct cost included in the grant budget. The allowable direct cost includes the direct program costs except for sub-grants to other than member school districts in excess of

\$25,000 and the amount of individual contracts in excess of \$25,000. The following shows the calculation of the indirect cost with an example:

Total Direct Costs	\$100,000
Costs Excluded for Indirects	<u>-12,000</u>
Allowed Direct Costs	\$ 88,000
Indirect Cost Rate	<u>X 2.0%</u>
Indirect Costs	\$1,760

Before the grant is closed, it is necessary to recalculate the amount of earned indirect cost based on the actual allowable direct grant expenditures. The amount of earned indirect costs for the fiscal year is based on the actual grant expenditures times the approved rate for the year; but cannot exceed the amount budgeted for indirect costs. The supervisory union must expend from the grant funds the amount of earned indirect costs for it to be reported as an expenditure. The supervisory union can either transfer the amount of earned indirect costs from the grant fund to the general fund or charge fiscal and personnel administration to the grant in the amount of the earned indirect costs.

### **Services benefiting non-disabled children:**

IDEA Part B funds may be used “for the costs of special education and related services , and supplementary aids and services, provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP of the child, even if one or more nondisabled children benefit from these services.” 34 CFR §300.208 (a) (1). There are several things to pay attention to if you use funds in this way. Most importantly, the services must be in accordance with a child’s IEP. The benefit to nondisabled students must be incidental to the primary benefit to the child on an IEP. The services might be any service included in an IEP and might take place in a variety of educational settings. The service page of the IEP would have to indicate the setting and group size. For example, it would not be allowable to do this if a child’s IEP indicated that the child was receiving 1-1 instruction.

IDEA Part B funds can not be used to provide services solely to non-special education students except under the coordinated early intervening services option. To use that option, each budget item relating to it would need to be described as being early intervening services. The total amount budgeted would need to be limited to 15% of the allocation for the year and the appropriate reporting requirements would need to be completed.

In an early childhood education setting, the costs need to be pro-rated to special education based on the ratio of children receiving the services as an IEP service to the total number of children in the group. So if an EEE teacher is providing a three hour group session to six children, two of whom have the service listed in their IEPs, then one-third of that cost could be considered preschool special education and the remaining would be regular pre-school education cost.

**APPENDIX B****IDEA-B Basic Sample Budget:**

<b>LOCAL EDUCATION AGENCY PLAN</b>			<b>IDEA-B Basic</b>		<b>4226/4756</b>	S088	-10-01/02
<b>DETAILED BUDGET</b>							
<b>Budget Period:</b> Indicate the time period for the budget items; this would be the whole grant period for the items contained in the original budget submission. For any items added based on an amendment, the budget period can start on the date that the amendment is received by the Department of Education in substantially approvable form.							
<b>(1)</b>	<b>(2a)</b>	<b>(2b)</b>	<b>(3) Item Description</b>	<b>(4)</b>	<b>(5)</b>	<b>(6)</b>	
Type of	Handbook II		Describe the services, personnel or equipment to be paid with			Estimated	
Funds			these grant funds. For each item, explain how the item relates to the provision of special education services or IDEA. Use the "Allowable Cost" section of the instructions as a guide.	FTE of Staff	Total IDEA-B Cost	Breakdown of Total IDEA-B Cost	
Use Reg. for regular grant funds	Function Code	Object Code	For salaries indicate the <b>position title, employee name, or TBH</b> (to be hired), and <b>FTE</b> of the salary and benefits			Cost for	Cost for
Use ARRA for ARRA grant funds			included in this budget. For equipment expenditures, list each item individually for advance approval prior to purchase.			K-12 Services	Pre-School Services
<b>Budget items for period July 1, 2009 through June 30, 2010:</b>							
Reg.	1000	100	Special Educator to provide instructional services to students as required by their IEPs - salary for Mary Jones	0.50	20,000.00	20,000.00	
Reg.	1000	200	Benefits for above position	0.50	5,320.00	5,320.00	
Reg.	1000	100	Para-educators for summer services required by students' IEPs for July and August 2009 - salaries for Andy Apple, Betty Brown and Fran Fishman	0.30	6,500.00	6,500.00	
Reg.	1000	100	Benefits for above summer paras		500.00	500.00	
Reg.	2160	300	Occupational Therapy contracted services for special education evaluations and IEP services		15,000.00	15,000.00	
Reg.	2150	100	Speech Language Pathologist to provide speech services required by IEPs and for special education evaluations - salary for Jane Adams	0.40	15,000.00	10,000.00	5,000.00
Reg.	2150	100	Speech Language Pathologist to provide speech services required by IEPs and for special education evaluations - salary for Linda Lisp	1.00	46,250.00	46,250.00	
Reg.	2150	200	Benefits for above SLP positions		25,800.00	24,300.00	1,500.00
Reg.	2190	300	Assistive Technology Consultant to advise on equipment options for two special education students with motor skills issues		1,000.00	500.00	500.00
Reg.	2200	300	Consultant for Inservice Training for special education staff regarding specialized math instruction techniques		2,500.00	2,500.00	
Reg.	2420	100	Supervision and coordination of supervisory union's special education program - salary for John Albert, Special Education Director	0.40	30,000.00	28,000.00	2,000.00

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Reg.	2420	100	Salary for Administrative Assistant, Cathy King, for special education administration paperwork	0.50	18,000.00	16,200.00	1,800.00
Reg.	2420	200	Benefits for above sped administration positions		14,000.00	12,400.00	1,600.00
Reg.	1000	300	Contracted special education instruction for parentally placed students in accordance with their services plans		1,590.00	1,590.00	
ARRA	2200	300	Contracted Autism Specialist to provide training to special educators, regular educators and para-educators working with students with autism		9,000.00	9,000.00	
ARRA	1000	700	Assistive technology software to implement students IEP services - Kurzweil enhancement of the Language! Program		2,000.00	2,000.00	
ARRA	2200	300	Tuition payment for speech language assistant for course work needed to become speech language pathologist		7,500.00	7,500.00	
ARRA	2700	700	Purchase of van for transporting students between homes and school program as required by students' IEPs		25,000.00	25,000.00	
ARRA	2190	100	Transition Coordinator to develop job sites for students with disabilities to be able to provide job placements for IEP implementation - salary for Martin Miller, Special Educator	0.50	21,500.00	21,500.00	
ARRA	2190	200	Benefits for transition coordinator	0.50	12,000.00	12,000.00	
ARRA	2140	100	Early intervening services - school psychologist to provide behavior interventions for students who need additional support in general education program - salary, Susan Simon	0.40	32,000.00	32,000.00	
ARRA	2140	200	Benefits for early intervening service position	0.40	3,800.00	3,800.00	
					0.00		
<b>TOTAL DIRECT COSTS</b>					314,260.00	301,860.00	12,400.00
<b>Indirect Costs</b> based on approved indirect cost rate times allowable direct cost				2.00 %	6,285.20		
			<b>BUDGET TOTAL</b>		320,545.20		



Local Education Agency Plan						SU: S088	
IDEA-B BASIC FINANCIAL SUMMARY FY-2010							
FUNCTION CODES		OBJECT CODES					
CODE	DESCRIPTION	SALARIES 100	BENEFITS 200	SUPPLIES & MATERIALS 600	EQUIPMENT 700	OTHERS 300/400/500/800/900	TOTAL
Regular Grant Funds excluding Proportionate Share Funds					4226-S0	S088	10-01
1000	Direct Instruction - Special Education	\$26,500.00	\$5,820.00	\$0.00	\$0.00	\$0.00	\$32,320.00
2130	Health Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2140	Psychological Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2150	Speech Pathology & Audiology	\$61,250.00	\$25,800.00	\$0.00	\$0.00	\$0.00	\$87,050.00
2160	Occupational Therapy	\$0.00	\$0.00	\$0.00	\$0.00	\$15,000.00	\$15,000.00
2190	Other Student Support Services	\$0.00	\$0.00	\$0.00	\$0.00	\$1,000.00	\$1,000.00
21XX	Student Support Services not above	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2200	Improvement of Instructional Services	\$0.00	\$0.00	\$0.00	\$0.00	\$2,500.00	\$2,500.00
2400	Support Services - School Administration	\$48,000.00	\$14,000.00	\$0.00	\$0.00	\$0.00	\$62,000.00
2700	Student Transportation Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Coordinated Early Intervening Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL DIRECT COSTS	\$135,750.00	\$45,620.00	\$0.00	\$0.00	\$18,500.00	\$199,870.00
					Indirect Costs		\$3,997.40
					Grant Total		\$203,867.40
Proportionate Share Funds from Regular Grant Funds					4226-S0	S088	10-02
1000	Direct Instruction - Special Education	\$0.00	\$0.00	\$0.00	\$0.00	\$1,590.00	\$1,590.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL DIRECT COSTS	\$0.00	\$0.00	\$0.00	\$0.00	\$1,590.00	\$1,590.00
					Indirect Costs		\$31.80
					Grant Total		\$1,621.80
ARRA Grant Funds excluding Proportionate Share Funds					4756-S0	S088	10-01
1000	Direct Instruction - Special Education	\$0.00	\$0.00	\$0.00	\$2,000.00	\$0.00	\$2,000.00
2130	Health Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2140	Psychological Services	\$32,000.00	\$3,800.00	\$0.00	\$0.00	\$0.00	\$35,800.00
2150	Speech Pathology & Audiology	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2160	Occupational Therapy	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2190	Other Student Support Services	\$21,500.00	\$12,000.00	\$0.00	\$0.00	\$0.00	\$33,500.00
21XX	Student Support Services not above	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2200	Improvement of Instructional Services	\$0.00	\$0.00	\$0.00	\$0.00	\$16,500.00	\$16,500.00

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						0	
<b>2400</b>	<b>Support Services - School Administration</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>2700</b>	<b>Student Transportation Services</b>	\$0.00	\$0.00	\$0.00	\$25,000.00	\$0.00	\$25,000.00
	<b>Coordinated Early Intervening Services</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	<b>TOTAL DIRECT COSTS</b>	\$53,500.00	\$15,800.00	\$0.00	\$27,000.00	\$16,500.00	\$112,800.00
						<b>Indirect Costs</b>	\$2,256.00
						<b>Grant Total</b>	\$115,056.00

**Proportionate Share Funds from ARRA Grant Funds**

Proportionate Share Funds from ARRA Grant Funds					4756-S0	S088	10-02
1000	Direct Instruction - Special Education	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL DIRECT COSTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
					Indirect Costs		\$0.00
					Grant Total		\$0.00

FY-2010 IDEA-B Basic Total	\$320,545.20
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*Must match total of Detailed Budget*